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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/810,228	03/19/2001	Noriyoshi Shida	040894-5642	6917
9629	7590	03/12/2004	EXAMINER	
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			HECKENBERG JR, DONALD H	
			ART UNIT	PAPER NUMBER
			1722	
DATE MAILED: 03/12/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/810,228

Applicant(s)

SHIDA ET AL.

Examiner

Donald Heckenberg

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 19 February 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attached sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 5, 7 and 8.

Claim(s) objected to: _____.

Claim(s) rejected: 1 and 3.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____.

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1. Applicants' arguments filed March 8, 2004 have been fully considered but they are not persuasive.

In response to the rejection of claims 1 and 3 under 35 U.S.C. 112, first paragraph for reciting new matter, Applicants assert that the specification discloses the claimed features. Specifically, Applicants assert that the limitation reciting "wherein the temperature of [the] conduction means is different from that of the [the] mold bodies" is supported by lines 2-11 of page 18 of the specification.

Lines 2-11 of page 18 recite:

"In this case, since the outer peripheral portion of the spool bush 1 abutting against the fixed mold mirror surface board 106 is formed by the annular ring 2 with a small coefficient of thermal conductivity, in the injection process, the heat radiated from the molten molding material sequentially injected into the spool 109 from the nozzle of the injection mechanism is suppressed in the transmission, so that the heat is scarcely transmitted to the fixed mold mirror surface board 106. That is, the fixed mold mirror surface board 106 is hardly heated by the heat transmitted though the spool bush 1."

This passage refers to heat transmission between the spool (which part of conduction means referred to in the claim) and the mold bodies. The passage says nothing of the temperature of the spool/conduction means, the temperature of the mold bodies, nor the relative temperatures of the two. Thus, this passage

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does not provide support for the limitation indicated as new matter in claims 1 and 3.

With respect to the rejection under 35 U.S.C. 102(b) based on Asai, Applicants argue that Asai does not disclose all of the features recited in claims 1 and 3 of the instant application. Specifically, Applicants assert that since heat from the sprue bushing 22 in Asai is transmitted through the cutter 25 to the mirror plate, no element can function as a means for suppressing (reducing) the transmission of the heat to the mirror plate. Applicants further state that the bushing 72 in Asai cannot serve as heat suppressing means, and therefore Asai fails to disclose any element corresponding to the annular ring 2, which serves as a first heat suppressing means claimed in the instant application.

It is not seen how the bushing 72 cannot serve as a heat suppressing member. The bushing is a physical structure located between the conduction path 23 and the mirror plate 70. As a structure, it must inherently have some heat capacity. Thus, the bushing will suppress some of the heat generated in the conduction path from being transmitted to the mirror block.

Further, the placement of the cutter 25 between the conduction path and the mirror plate does not prevent the bushing from acting to suppress heat. As discussed in the

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previous Office Action, the cutter would not act to completely block all the heat from the sprue from being transmitted to the mold block. While the cutter may have a large heat capacity (the disclosure of Asai does not state from what material the cutter is constructed), at least some heat would still be conducted through the cutter, especially given the high temperatures required for injection molding. Thus, the bushing 72 would act to suppress heat conducted through the cutter from being transmitted to the mold body-mirror block.

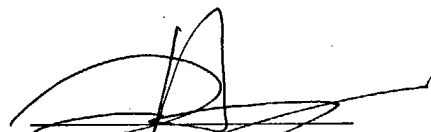
2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald Heckenberg whose telephone number is (571) 272-1131. The examiner can normally be reached on Monday through Friday from 9:30 A.M. to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda Walker, can be reached at (571) 272-1151. The official fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

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may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <<<http://pair-direct.uspto.gov>>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).



Donald Heckenberg
March 8, 2004



JAMES P. MACKEY
PRIMARY EXAMINER
3/9/04